

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

BILL MAYO and JULIE MAYO,)	
)	
Plaintiff,)	
)	
v.)	Case No.
)	
FARMERS ALLIANCE MUTUAL)	
INSURANCE COMPANY, CREWS)	
INSURANCE AGENCY, PACESETTER)	
CLAIMS SERVICE, INC., and CHARLES)	
EDWARD GALLOWAY,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COMES NOW the Defendant, Farmers Alliance Mutual Insurance Company, (hereinafter “Farmers Alliance”) and pursuant to 28 U.S.C. §1446, hereby gives Notice to all parties of the removal of this action to the United States District Court for the Western District of Oklahoma, and states the following:

1. Farmers Alliance Mutual Insurance Company is the Defendant named in a Petition in a civil action brought against it in the District Court of Oklahoma County, State of Oklahoma, titled *Bill Mayo and Julie Mayo v. Farmers Alliance Mutual Insurance Company, Crews Insurance Agency, Pacesetter Claims Service, Inc., and Charles Edward Galloway*, Case No. CJ-2014-30 (See Docket Sheet attached hereto as Exhibit “1”).

2. Plaintiffs' original Petition was filed on May 19, 2014 (attached hereto as Exhibit "2"; see Summons attached hereto as Exhibit "3"). The Plaintiffs are individual residents of the State of Oklahoma, and Defendant Farmers Alliance is a Kansas corporation, with its principal place of business in McPherson, Kansas. Therefore, diversity of citizenship exists in this matter.

3. Summons Issued on May 19, 2014 to Crews Insurance Agency on (attached hereto as Exhibit "4") Summons Issued on May 19, 2014 to Pacesetter Claims Service, Inc. (attached hereto as Exhibit "5") and Summons Issued on May 19, 2014 to Charles Edward Galloway (attached hereto as Exhibit "6")

4. Entry of Appearance of Defendants, Pacesetter Claims Services, Inc. and Charles Edwards was filed October 1, 2014. (See attached hereto as Exhibit "7").

5. Motion to Dismiss of Defendants, Pacesetter Claims Services, Inc. and Charles Edwards was filed October 1, 2014. (See attached hereto as Exhibit "8").

6. Order for Hearing on Motion to Dismiss of Defendants, Pacesetter Claims Services, Inc. and Charles Edwards was filed October 1, 2014. (See attached hereto as Exhibit "9").

7. Alias Summons to Farmers Alliance Mutual Insurance Company issued on October 8, 2014. (See attached hereto as Exhibit "10").

8. Proof of Service Affidavit for serving Pacesetter Claims Service, Inc. was filed October 10, 2014. (See Proof of Service Affidavit attached hereto as Exhibit "11").

9. Proof of Service Affidavit for serving Charles Edward Galloway was filed October 10, 2014. (See Proof of Service Affidavit attached hereto as Exhibit “12”).

10. Plaintiff’s Response to Defendants, Pacesetter Claims Service, Inc. and Charles Edward Galloway Motion to Dismiss was filed on October 17, 2014. (See Response attached hereto as Exhibit “13”).

11. Proof of Service Affidavit for serving Crews Insurance Agency was filed October 27, 2014. (See Proof of Service Affidavit attached hereto as Exhibit “14”).

12. Proof of Service Affidavit for serving Farmers Alliance Mutual Insurance Company was filed October 27, 2014. (See Proof of Service Affidavit attached hereto as Exhibit “15”).

13. Defendants, Pacesetter Claims Service, Inc. and Charles Edward Galloway Reply to Plaintiff’s Response to Motion to Dismiss was filed on November 3, 2014. (See Reply attached hereto as Exhibit “16”).

14. Plaintiff’s Dismissal Without Prejudice was filed on November 10, 2014. (See Dismissal Without Prejudice attached hereto as Exhibit “17”).

15. Entry of Appearance of Defendant, Farmers Alliance Mutual Insurance Company was filed December 5, 2014. (See attached hereto as Exhibit “18”).

16. Defendant, Farmers Alliance Mutual Insurance Company’s Motion to Clarify Damages were filed on December 5, 2014. (See Motion to Clarify attached hereto as Exhibit “19”).

17. Order for Hearing on Farmers Alliance Mutual Insurance Company's Motion to Clarify Damages was filed December 17, 2014. (See attached hereto as Exhibit "20").

18. Plaintiff's Response to Defendant's Farmers Alliance Mutual Insurance Company's Motion to Clarify Damages was filed on December 22, 2014. (See attached hereto as Exhibit "21").

19. Court Order overruling Defendant's Farmers Alliance Mutual Insurance Company's Motion to Clarify Damages was filed on January 27, 2015. (See attached hereto as Exhibit "22").

20. Order Denying Defendant, Farmers Alliance Mutual Insurance Company's Motion to Dismiss and Defendant, Farmers Alliance Mutual Insurance Company's Motion to Clarify were filed on January 7, 2015. (See Order attached hereto as Exhibit "23").

21. Plaintiff's First Amended Petition filed on January 30, 2015. (See attached hereto as Exhibit "24").

22. Defendant Farmers Alliance Mutual Insurance Company's Answer to Plaintiff's First Amended Petition filed on February 09, 2015. (See Answer attached hereto as Exhibit "25").

23. Plaintiff's responses to written discovery, specifically response to Request for Admission No. 7, reflects that Plaintiffs are seeking damages in an amount over \$75,000.00, placing in controversy the requisite amount in excess of \$75,000.00. (See Response to Request for Admission No. 7 attached hereto as Exhibit "26").

THEREFORE, pursuant to 28 U.S.C. §1446d, this Court has been conferred jurisdiction under 28 U.S.C. §1332, as diversity jurisdiction exists.

Respectfully submitted,

s/Christine B. McInnes

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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on the 13th day of April, 2015, I electronically transmitted a true and correct copy of the foregoing document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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